

**19 JUL 2006**

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In re Application of	:	DECISION ON RENEWED
Orler et al	:	
PCT No.: PCT/US2003/019363	:	
Application No: 10/518,621	:	
Int. Filing Date: 18 June 2003	:	PETITION UNDER
Priority Date: 20 June 2002	:	
Attorney's Docket No.: ST02017USU3 (141-US-U3)	:	
For: GENERIC SATELLITE POSITIONING ...	:	
SELECTABLE INPUTS AND OUTPUTS	:	37 CFR 1.47(a)

This is in response to the "RENEWED PETITION UNDER 37 C.F.R. §1.47(a)" filed on 30 May 2006.

### **BACKGROUND**

In a decision from this Office on 27 January 2006, the initial petition under 37 CFR 1.47(a) was dismissed. The decision stated that requirement (2) had not been satisfied.

On 30 May 2005, petitioner submitted a "Renewed Petition Under 37 CFR 1.47(a)" requesting reconsideration of the Office's decision of 27 January 2006 with respect to accepting the above application without the signature of nonsigning inventor Keith Jacob Brodie. Filed with the renewed petition, *inter alia*, is a declaration from Mariana Paula Noli and Certified Mail, Return Receipt.

### **DISCUSSION**

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

The renewed petition of 30 May 2006 has satisfied requirement 2 under 37 CFR 1.47(a). Thus satisfying all the requirements under 37 CFR 1.47(a).

Ms. Mariana Paula Noli's averments do sufficiently demonstrate that a *bona fide* attempt was made to obtain the signature of Keith Brodie and that he refused to sign the required papers. The declaration and application papers were mailed on May 12, 2006 to him and on or about May 15, 2006 a domestic return receipt signed by Keith Brodie was received by Ms. Noli. Accordingly, the conduct of Keith Brodie is interpreted based on the evidence of the papers submitted as a refusal to sign the required papers. Consequently, the current record does sufficiently establish Mr. Brodie's refusal to join in the application.

Petitioner has now satisfied items (1), (2), (3), and (4) under 37 CFR 1.47(a), thus completing the requirements under 37 CFR 1.47(a).

### **CONCLUSION**

The petition under 37 CFR 1.47(a) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date of **25 October 2005**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371.



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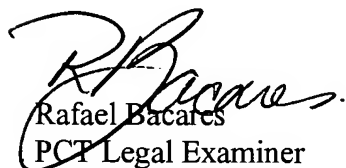
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Dear Keith Jacob Brodie:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

  
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